Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method for determining that an image element is likely to be self-luminous, the method comprising:
   a. determining image element characteristics;
   ~~comparing the characteristics of said image element to those for known self-luminous elements wherein said comparing comprises at least one act taken from the set consisting of:~~
      ~~(i) comparing the proximity of said image element to image boundaries with the proximity of known image elements to their boundaries,~~
      ~~(ii) comparing the color characteristics of said image element to characteristics of a known illuminant, and~~
      (iii)~~comparing the luminance characteristics of said image element to characteristics of known self-luminous elements~~;
   b. analyzing said image element characteristics;
   c. assigning a self-luminosity weight factor to said image element when said image element characteristics indicate a likelihood of self-luminosity;
   d. determining the spatial proximity of said image element to an image spatial boundary;
   e. modifying said self-luminosity weight factor when said image element is spatially proximate to said image boundary; and
   f. estimating a color balance correction for at least a portion of said image wherein said correction is based on said weight factor.

2. (currently amended) A method for determining that an image element is likely to be self-luminous, the method comprising:
   a. determining image element characteristics;
   b. comparing the color characteristics of said image element to those found under a known illuminant;
   c. comparing the luminance characteristics of said image element to those found under a known illuminant;
   d. determining the spatial proximity of said image element to an image spatial boundary; and
   e. classifying said image element as likely to be self-luminous when ~~at least one of~~ said color characteristics, ~~and~~ said luminance characteristics and said spatial proximity meet a criterion for self-luminous elements.

3. (currently amended) A method as described in claim 2 ~~further comprising measuring the proximity of said image element to an image boundary and wherein said classifying further comprises evaluation of said proximity to determine whether said criteria are met~~ wherein said image spatial boundary is the top edge of said image.

4. (currently amended) A method for estimating the illuminant of an image, the method comprising:
   a. determining image element characteristics;
   b. assigning a weighting factor to each image element according to its likelihood of being self-luminous, said likelihood being based on said characteristics;
   c. modifying said weighting factor based on the spatial proximity of said each image element to an image spatial boundary;
   d. estimating ~~an~~ illuminants for a plurality of image elements;
   e. estimating an image illuminant based on said illuminants for each image element adjusted by said weighting factors.

5. (original) A method as described in claim 4 wherein the effect of said weighting factor is proportional to the likelihood that an image element is non-self-luminous.

6. (currently amended) A method of correcting color-balance in an image, the method comprising:
   a. obtaining image element characteristics for an image;
   b. assigning a weighting factor to each image element according to its likelihood of being self-luminous
   c. determining an element illuminant for each of said image elements;
   d. estimating an image illuminant based on ~~said image element characteristics and said weighting factors~~ said element illuminants adjusted by their corresponding weighting factors; and
   e. correcting image color-balance ~~for said estimated image illuminants~~ based on said image illuminant.

7. (currently amended) A method as described in claim 6 wherein said correcting comprises:
   a. correcting image elements that are not likely to be self-luminous ~~for the estimated illuminant~~; and
   b. omitting said correcting image color-balance for image elements that are likely to be self-luminous.

8. (original) A method as described in claim 6 wherein said correcting comprises:
   a. correcting said image elements according to their likelihood of being self-luminous wherein a full correction is applied to elements that are least likely to be self-luminous, no correction is applied to elements that are most likely to be self-luminous and a partial correction is applied to elements that fall between these limits.

9. (currently amended) A set of computer-executable instructions for determining that ~~an~~ digital image ~~element~~ pixel is likely to be self-luminous, the method comprising:

    a. determining image ~~element~~ pixel characteristics;

    b. comparing the characteristics of said image ~~element~~ pixel to those for known self-luminous ~~elements~~ pixels wherein said comparing comprises ~~at least one act taken from the set consisting of~~:

        (i) comparing the spatial proximity of said image ~~element~~ pixel to image spatial boundaries ~~with the proximity of known image elements to their boundaries~~,

        (ii) comparing the color characteristics of said image ~~element~~ pixel to those of a known illuminant, and

        (iii)comparing the luminance characteristics of said image ~~element~~ pixel to those of known self-luminous ~~elements~~ pixels, and

    c. classifying said image ~~element~~ pixel as likely to be self-luminous when ~~at least one of~~ said proximity, said color characteristics and said luminance characteristics meet a criteria for self-luminous ~~elements~~ pixels.

10. (currently amended) A computer system for determining that an image element is likely to be self-luminous, the system comprising:
    a. a storage for storing image element characteristics;
    b. a processor for comparing the characteristics of said image element to those for known self-luminous elements wherein said comparing comprises ~~at least one act taken from the set consisting of~~:
        i. comparing the spatial proximity of said image element to image spatial boundaries ~~with the proximity of known image elements to their boundaries~~,
        ii. comparing the color characteristics of said image element to those of known illuminants, and
        iii. comparing the luminance characteristics of said image element to those of known self-luminous elements, and
    c. a classifier for classifying said image element as likely to be self-luminous when ~~at least one of~~ said proximity, said color characteristics and said luminance characteristics meet a criteria for self-luminous elements.

11. (new) A method as described in claim 6 further comprising modifying said weighting factor when the spatial location of said image element is proximate to an image spatial boundary.